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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/697,554	10/26/2000	Akihiro Yamada	SONY-U0362	4006

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ALEXANDRIA, VA 22314

EXAMINER

COBURN, CORBETT B

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 04/13/2004

17

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/697,554

Applicant(s)

YAMADA, AKIHIRO

Examiner

Corbett B. Coburn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crawford (US Patent Number 5,771,354) in view of Schindler et al. (US Patent Number 5,675,390).

**Claims 1, 9, & 14:** Fig 3 shows a server device (52), a display device (54) and a game-executing device (68). Game-executing device (68) is the CPU of computer (52). A "set top box" is merely a computer that is associated with the cable television system. Fig 4 shows computer attached to the disclosed communications system via a cable TV connection (134). Computer (50(Z)) is a "set top box". The server device has an information storage unit (64, 66) for storing game software. (Col 2, 15 & 16) Crawford discloses that game software may be sent to a computer via communications lines (150) that are external to the server device, display device, and the game executing device and stored on the information storage unit. (Col 3, 37-39) There is inherently an information transmitting means (the computer's bus) for reading software from the storage unit in response to a request received via digital communications line (the bus) and transmitting the information to the game-executing device. The game-executing device has game selection command input devices (56 & 58) and a game selection request transmission means (the bus) for transmitting the selection to the server. The keyboard (56) and

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mouse (58) are game control input means. The computer's bus is an information request transmission means. The processor (68) is an information acquisition means and an image generation means and an image information acquisition means. There is a display device (54) for displaying images of the game. Figure 4 clearly shows that Customer Z is attached to the cable TV system. Furthermore, Crawford explicitly teaches that the data may be delivered via a satellite link. (Col 16, 64) Figure 2 teaches Electronic Media Services that include multi-media services. (206) This is equivalent to television program data. However, Crawford does not explicitly teach displaying television program data on the display device.

This is notoriously well known. Schindler teaches a system that receives satellite television signals on a set top box (118) and supplies television program data corresponding to the received television broadcast signal to a display device (122). (Fig 1) Schindler teaches that the system (Col 1, 39-40) It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Crawford in view of Schindler to receive satellite television signals on a set top box and supply television program data corresponding to the received television broadcast signal to a display device in order to significantly reduce the duplication of functions by discrete devices found in the home, thus reducing costs.

**Claims 2, 19, 23, & 24:** Crawford teaches the invention substantially as described.

Crawford teaches use of the multimedia content but does not teach details of its use nor does Crawford explicitly describe use of compressed image data. Schindler teaches provision of multimedia data using the MPEG compressed data format. (Col 2, 5-9 &

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Col 3, 6-10) As noted in Schindler, this has become the standard means for transmitting this data. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Crawford in view of Schindler to provide multimedia data in the industry standard MPEG compressed form since this has become the standard means for transmitting this data.

**Claims 3, 10, & 15:** Crawford teaches a server that contains an additional information acquisition means (68) that gets additional information via a communications link (150) and stores it to the storage unit (66, 64). There is an additional information transmission means (bus). The game-executing device (50) has an additional information selection command input means (56) and an additional information request transmission means (80).

**Claims 4, 11, 16 & 20:** Crawford teaches communication line connecting means (80) that is also an information request transmission means that transmits a request for desired information to the service provider via a communications line (150).

**Claims 5, 12, 17, 21 & 29:** Crawford teaches tracking, recording, storing, and updating usage history in order to perform accounting and billing. (Fig 8B, 414, 422, etc.)

Recitation of a function includes teaching the hardware necessary to carry out that function.

**Claims 6, 13, 18, 22 & 30:** Crawford teaches communication line connecting means (80) that is also a usage history information transmission means that transmits a request for desired information to the service provider via a communications line (150).

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Transmission must be made in response to a usage history information transmission request or at a scheduled time.

**Claims 7 & 31:** Crawford's Fig 4 clearly teaches a digital serial bus.

**Claims 8 & 32:** Crawford's Fig 4 clearly teaches wireless communications channels.

**Claim 25:** Crawford's Fig 13 shows an additional data acquisition step (521). Input, transmission, storage, reading, and processing steps are included in this step.

**Claim 26:** Crawford's Fig 8A shows validating users (404A). Fig 13 clearly shows establishing communications, logging in, communication between game machine and server including request for information from the game software information provider.

**Claims 27 & 28:** Crawford's Fig 13 (515, 520) shows an authentication step. If the customer has an account, information is provided to the customer (521). This implies an information permission transmission and reception step. Fig 8B discloses a billing step.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corbett B. Coburn whose telephone number is (703) 305-3319. The examiner can normally be reached on 8-5:30, Monday-Friday, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on (703) 308-1806. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



cbc



JESSICA HARRISON  
PRIMARY EXAMINER